

**CITY COMMISSION REGULAR MEETING AGENDA
JUNE 19, 2001 - 6:00 P.M.**

Roll Call

Invocation: Rabbi Schneur Kaplan, Chabad Torah Center

Pledge of Allegiance

Approval of Minutes and Agenda: June 5, 2001

PRESENTATIONS

1. The Mayor and City Commissioners will present an Expression of Sympathy to the family of ***“Tyler Meyer.”***
2. The Mayor and City Commissioners will present the ***Community Appearance Board’s “WOW Award”*** for District IV.
3. The Mayor and City Commissioners will present the ***“Annual Telephone Book Recycling Project Competition”*** awards.

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Kayak Against Cancer

(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Kayuba Dive Club of Florida** to indemnify, protect, and hold harmless the City from any liability in connection with **Kayak Against Cancer** to be held **Saturday, June 23, 2001 from 7:00 a.m. to 3:00 p.m.** in the ocean beginning in Lighthouse Point and ending at Bahia Cabana on the Intracoastal Waterway.

Recommend: Motion to approve.

Exhibit: Memo No. 01-916 from City Manager.

CONSENT AGENDA

Event Agreement – Soap Box Derby

(M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **YMCA of Broward County** to indemnify, protect, and hold harmless the City from any liability in connection with the **Soap Box Derby** to be held **Saturday, September 8, 2001 from 7:00 a.m. to 6:00 p.m.**; and further authorizing the closing of S.E. 3 Avenue from the south side of the Bridge over the New River to S.E. 7 Street from 4:00 a.m. to 9:00 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 01-917 from City Manager.

Event Agreement – Girl Scouts 90th Birthday Celebration

(M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Girl Scouts of Broward County and the Museum of Discovery and Science** to indemnify, protect, and hold harmless the City from any liability in connection with the **Girl Scouts 90th Birthday Celebration** to be held **Saturday, March 9, 2002 from 8:00 a.m. to 6:00 p.m.** at the Museum of Discovery and Science and the Esplanade; and further authorizing the closing of S.W. 2 Street from S.W. 4 Avenue to S.W. 5 Avenue from 4:00 a.m. to 8:00 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 01-918 from City Manager.

**Grant Acceptance – State of Florida, Department of Community Affairs –
Emergency Management Preparedness and Assistance Grant Program**

(M-4)

A motion authorizing the proper City officials to execute all documents necessary to accept a grant in the amount of \$47,300 from the State of Florida, Department of Community Affairs, Emergency Management, to be used for the implementation of emergency backup repeaters for the City's radio communication system.

Recommend: Motion to approve.

Exhibit: Memo No. 01-865 from City Manager.

**Concession Agreement –
City County Credit Union – Automatic Teller Machine (ATM) at City Hall**

(M-5)

A motion authorizing the proper City officials to execute a concession agreement with the City County Credit Union for the operation of an ATM at City Hall.

Recommend: Motion to approve.

Exhibit: Memo No. 01-855 from City Manager.

CONSENT AGENDA

**Interlocal Agreements – Broward County –
Local Option Gas Tax, Local Option Motor Fuel Tax and Transit Gas Tax**

(M-6)

A motion authorizing the proper City officials to execute with Broward County the 18th Amendment to the Interlocal Agreement providing for the distribution of proceeds of the Local Option Gas Tax, and the 2001 Amendment to the Interlocal Agreement providing for the distribution of the proceeds from the Broward County 5th cent additional local option gas tax on Motor Fuel for Transit; and further authorizing the rejection of the 2001 Amendment to the Local Option Gas Tax on Motor Fuel Ordinance.

Recommend: Motion to approve.

Exhibit: Memo No. 01-896 from City Manager.

**Lease Amendment – CAPROC Third Avenue, LLC – Office Space for
Community and Economic Development at 101 N.E. 3 Avenue (Suites 102 and 103)**

(M-7)

A motion authorizing the proper City officials to execute an agreement with CAPROC Third Avenue, LLC in the amount of \$35,257.44 for a six-month lease extension for the general use conference room and Housing and Community Development staff offices in the 101 N.E. 3 Avenue building.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-887 from City Manager.

**Amendment to Task Order No. 40 – CH2M Hill – Project 9076 –
Wastewater Flow Monitoring for the Wastewater Conveyance System**

(M-8)

A motion authorizing the proper City officials execute an amendment to Task Order No. 40 with CH2M Hill in the amount of \$315,000 for short-term wastewater flow monitoring for the wastewater conveyance system.

Funds See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-919 from City Manager.

**Change Order No. 3 – Man-Con, Inc. –
Project 10335 - Annual Contract Sanitary and Storm Sewer Repairs**

(M-9)

A motion authorizing the proper City officials to execute Change Order No. 3 with Man-Con, Inc. in the amount of \$59,688.65 for the repair of 333 lineal feet of sanitary sewer main by pipe bursting, including the reconnection of all eight service laterals.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-856 from City Manager.

CONSENT AGENDA

Installation of Speed Humps – N.W. 18 Street (South Middle River Neighborhood) (M-10)

A motion authorizing the installation of speed humps on N.W. 18 Street in the South Middle River Neighborhood, with construction to be the responsibility of the neighborhood at no cost to the City.

Recommend: Motion to approve.

Exhibit: Memo No. 01-760 from City Manager.

**Task Order No. 7 – Hazen and Sawyer – Project 9918 –
Poinciana Park and Second Avenue Storage Tank and Pumping Station Replacements** (M-11)

A motion authorizing the proper City officials to execute Task Order No. 7 with Hazen and Sawyer in the amount of \$963,100 for the Poinciana Park and Second Avenue storage tank and pumping station replacements.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-910 from City Manager.

PURCHASING AGENDA

**Miami-Dade School Board & State—Three year Lease of Network
Color Copier and Desktop Computer**

(Pur-1)

Three year lease of a network color copier with one year full service maintenance and purchase of a desktop computer is being presented for approval by the Administrative Services, Central Services Division.

Low Responsible Bidder:	CopyCo, Inc., Deerfield Beach, FL Dell Marketing, L.P., Round Rock, TX
Amount:	\$20,119.69 (estimated)
Bids Solicited/Rec'd:	27/8 with 13 no bids
Exhibits:	Memorandum No. 01-819 from City Manager

The Purchasing Division recommends award from the Miami Dade School Board and Florida State Contract.

Proprietary – FAMIS Software Maintenance and Support

(Pur-2)

One year agreement for FAMIS software maintenance and support is being presented for approval by the Administrative Services, Information Technology Division.

Low Responsible Bidders:	KPMG Consulting, McLean, VA
Amount:	\$ 127,840.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 01-864 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Boca Raton RFP – Fire-Rescue Transport Unit

(Pur-3)

An agreement to purchase one Fire-Rescue transport unit is being presented for approval by the Administrative Services, Fleet Services Division.

Low Responsible Bidder:	American LaFrance Medic Master, Sanford, FL
Amount:	\$181,809.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 01-714 from City Manager

The Purchasing Division recommends award from the City of Boca Raton with transfer of \$181.809 from Contingency (FD001-9950) to Operations-Other Equipment (FIR030101-6499) \$24,085, Communications Equipment (FIR010502-6401) \$8,850, Medical Equipment (FIR030101-6499) \$13,295 and Fleet Vehicles (ADM030501-6416) \$135,579.

PURCHASING AGENDA

612-8499 – Contract for Polymer/Wastewater Sludge**(Pur-4)**

A two year contract for polymer for wastewater sludge is being presented for approval by the Public Services Department.

Low Responsible Bidders:	Polydyne, Inc., Riceboro, GA
Amount:	\$ 95,526.00 (estimated annual)
Bids Solicited/Rec'd:	4/4
Exhibits:	Memorandum No. 01-899 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidders.

612-8485 – One year Price Agreement for Water Distribution and Repair Parts**(Pur-5)**

A one year price agreement for water distribution and repair parts is being presented for approval by the Public Services Department.

Low Responsible Bidder:	A&B Pipe and Supply (MBE) Miami, FL Hughes Supply, Inc. Pompano Beach, FL Lion Plumbing Supply, Inc. Miami, FL Power Seal Pipeline Products Corp. Wichita Falls, TX W&O Supply Fort Lauderdale, FL
Amount:	Per Unit Pricing
Bids Solicited/Rec'd:	20/9 with 1 no bid
Exhibits:	Memorandum No. 01-891 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidders.

Proprietary – Repair Parts for (2) Degritter Units**(Pur-6)**

An agreement to purchase repair parts for two degritter units is being presented for approval by the Public Services Department.

Low Responsible Bidders:	GL&V/Dorr-Oliver, Ontario, Canada
Amount:	\$ 28,200.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 01-868 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**THERE ARE NO MOTION ITEMS
LISTED ON THIS AGENDA**

PUBLIC HEARINGS

**Amend Approved Site Plan/Modification of Height/Fence Lighting –
City of Fort Lauderdale – Joseph C. Carter Park (PZ Case No. 75-R-00)**

(PH-1)

At the April 18, 2001 Planning and Zoning Board meeting, the following application was approved by a vote of 7-0. Notice of public hearing was published June 7 and 14, 2001.

Applicant: City of Fort Lauderdale
Request: Amendment to approved site plan/modification of height/fence/lighting
Location: 1450 West Sunrise Boulevard

Recommend: Open hearing; close hearing; introduce ordinance on first reading.

Exhibit: Memo No. 01-841 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

**Parking Reduction/Site Plan/RAC-EMU and Vacate Portion of
N.E. 1 Street – Luke Meyer, et al – The Waverly (PZ Case Nos. 30-P-00 and 39-R-01)**

(PH-2)

A public hearing to consider a parking reduction/site plan review and the vacation of N.E. 1 Street for The Waverly proposed development. The vacation was approved at the Planning and Zoning Board regular meeting on April 18, 2001 by a vote of 5-2. Notice of public hearing was published May 3 and 10, 2001. At the May 1, 2001 meeting, the City Commission requested review of the parking reduction and site plan approved by the Planning and Zoning Board on April 18, 2001. On May 15, 2001, the City Commission denied approval by a vote of 2-3 (Hutchinson, Katz and Naugle). On June 5, 2001, the City Commission approved a motion to reconsider this application by a vote of 3-2 (Hutchinson and Naugle); and further approved a motion to schedule a public hearing for June 19, 2001 at 6:00 p.m. by a vote of 5-0.

Applicant: Luke Meyer, et al
Request: a) Parking reduction/site plan review; and
b) Vacate a portion of N.E. 1 Street
Location: Northeast corner of Federal Highway (U.S. 1) and East Broward Boulevard

Recommend: Open hearing; close hearing;
a) Introduce resolution for parking reduction/site plan review; and
b) Introduce ordinance on first reading for vacation of portion of N.E. 1 Street

Exhibit: a) Memo No. 01-915 from City Manager; and
b) Memo No. 01-914 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in **(Item a only)**.

PUBLIC HEARINGS

**Vacate a Portion of S.E. 2 Street between S.E. 8 Avenue
and Federal Highway – The Las Olas Company, Inc. et al (PZ Case No. 20-P-00)**

(PH-3)

At the Planning and Zoning regular meeting of January 18, 2001, it was recommended by a vote of 4-3 that the following application be approved. Notice of public hearing was published March 3 and 10, 2001. On March 15, 2001, the City Commission deferred first reading to June 19, 2001 by a vote of 3-2 (Hutchinson and Naugle). (Also see Item PH-4 on this Agenda)

Applicant: The Las Olas Company, Inc. et al
Request: Vacate a portion of S.E. 2 Street
Location: S.E. 2 Street between S.E. 8 Avenue and Federal Highway (U.S. 1)

Recommend: Motion to defer first reading to Thursday, September 20, 2001 at 6:00 p.m.

Exhibit: Memo No. 01-909 from City Manager; and
Memo No. 01-119 from City Manager.

**Vacate a Portion of Alley South of S.E. 2 Street between S.E. 8 Avenue
and Federal Highway – The Las Olas Company, Inc. et al (PZ Case No. 21-P-00)**

(PH-4)

At the Planning and Zoning regular meeting of January 18, 2001, it was recommended by a vote of 6-1 that the following application be approved. Notice of public hearing was published March 3 and 10, 2001. On March 15, 2001, the City Commission deferred first reading to June 19, 2001 by a vote of 3-2 (Hutchinson and Naugle). (Also see Item PH-3 on this Agenda)

Applicant: The Las Olas Company, Inc. et al
Request: Vacate a portion of alley
Location: South of S.E. 2 Street between S.E. 8 Avenue and Federal Highway (U.S. 1)

Recommend: Open hearing; close hearing; introduce ordinance on first reading.

Exhibit: Memo No. 01-822 from City Manager; and
Memo No. 01-189 from City Manager.

ORDINANCES

Vacate a North/South Alley – Corporate Properties**Holdings, Inc. and Harold F. Reichert, Jr. (PZ Case No. 2-P-01)****(O-1)**

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 7-0 that the following application be approved. Ordinance No. C-01-21 was published May 24 and 31, 2001, and passed on first reading on June 5, 2001 by a vote of 5-0. (Also see Item O-2 on this Agenda)

Applicant: Corporate Properties Holdings, Inc. and Harold F. Reichert, Jr.
 Request: Vacate a north/south alley
 Location: 2411 South Federal Highway (U.S. 1)

Recommend: Introduce ordinance on second reading.**Exhibit:** Memo No. 01-900 from City Manager; and
Memo No. 01-739 from City Manager.**Vacate a Portion of S.E. 25 Street – Corporate Properties****Holdings, Inc. and Harold F. Reichert, Jr. (PZ Case No. 3-P-01)****(O-2)**

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 7-0 that the following application be approved. Ordinance No. C-01-22 was published May 24 and 31, 2001, and passed on first reading on June 5, 2001 by a vote of 5-0. (Also see Item O-1 on this Agenda)

Applicant: Corporate Properties Holdings, Inc. and Harold F. Reichert, Jr.
 Request: Vacate a portion of S.E. 25 Street
 Location: 2411 South Federal Highway (U.S. 1)

Recommend: Introduce ordinance on second reading.**Exhibit:** Memo No. 01-901 from City Manager; and
Memo No. 01-740 from City Manager.**Vacate a Portion of North/South Alley –****Moving Picture Electronic Services, Inc. (PZ Case No. 27-P-00)****(O-3)**

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 7-0 that the following application be approved. Ordinance No. C-01-23 was published May 24 and 31, 2001, and passed on first reading on June 5, 2001 by a vote of 5-0.

Applicant: Moving Picture Electronic Services, Inc.
 Request: Vacate a portion of north/south alley
 Location: North/south alley north of S.E. 20 Street between Miami Road and S.E. 10 Avenue

Recommend: Introduce ordinance on second reading.**Exhibit:** Memo No. 01-911 from City Manager; and
Memo No. 01-768 from City Manager.

ORDINANCES

**Vacate a Portion of Flagler Avenue –
E. & B. Morley and T. & M. Tahmassebi (PZ Case No. 25-P-00)**

(O-4)

At the Planning and Zoning Board regular meeting on March 21, 2001, it was recommended by a vote of 8-0 that the following application be approved. Ordinance No. C-01-19 was published April 21, 2001. On May 1, 2001, the City Commission deferred first reading to May 15, 2001 by a vote of 5-0; on May 15, 2001, first reading was approved by a vote of 5-0. On June 5, 2001, second reading was deferred to June 19, 2001 by a vote of 5-0.

Applicant:	E. & B. Morley and T. & M. Tahmassebi
Request:	Vacate a portion of Flagler Avenue abutting Lots 1 through 9, Block 59, Croissant Park, Plat Book 4, Page 28 and the Florida East Coast (FEC) Railroad.
Location:	Flagler Avenue, east of the FEC Railroad, between S.W. 18 Court and S.W. 20 Street

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 01-902 from City Manager;
Memo No. 01-802 from City Manager;
Memo No. 01-729 from City Manager; and
Memo No. 01-622 from City Manager.

Amendment to the Pay Plan

(O-5)

An ordinance amending the Pay Plan of the City, providing for new classes, title changes, class code number changes, and a title change and pay range adjustment in Schedule I, and providing for new classes and the deletion of an assignment pay in Schedule II. Notice of proposed ordinance was published June 9, 2001.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 01-843 from City Manager.

Create Section 13-64 - Firefighter Service Key Boxes

(O-6)

An ordinance creating Section 13-64 of the Code of Ordinances to require firefighter service key boxes be maintained in all new and existing buildings with firefighter service capabilities. Notice of proposed ordinance was published June 9, 2001.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 01-852 from City Manager.

ORDINANCES

Amendment to Chapter 15 – Communications Services Tax

(O-7)

An ordinance amending Chapter 15 of the Code of Ordinances entitled "Licenses, Taxation and Miscellaneous Business Regulations," by replacing Section 15-128, "Telecommunications Public Service Tax" with a new Section 15-128, "Communications Services Tax;" providing for the adoption of the communications service tax rates as established by the Florida Legislature; electing not to require and collect engineering permit fees for the placement or maintenance of communications facilities in the City's roads or rights-of-way; and providing for notice to the State of Florida, Department of Revenue. Notice of proposed ordinance was published June 9, 2001.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 01-895 from City Manager.

RESOLUTIONS

**Request to Broward County
from Lauderdale Isles - Purchase of Land for Park Greenspace**

(R-1)

A resolution supporting the Lauderdale Isles neighborhood's request to Broward County for the purchase of land located on the southeast corner of State Road 7 and Riverland Road for park greenspace.

Recommend: Introduce resolution.
Exhibit: Memo No. 01-928 from City Manager.

**Development of Significant Impact/IOA – La Rive Condominium -
Vicenzo Esposito and Christian D. Wissing (PZ Case No. 123-R-00)**

(R-2)

At the Planning and Zoning Board regular meeting on December 20, 2000, it was recommended by a vote of 5-3 that the following application be approved. On February 6, 2001, the City Commission deferred consideration of this item to March 15, 2001; on March 15, 2001, the City Commission deferred consideration of this item to April 5, 2001 by a vote of 5-0. On April 5, 2001, the City Commission denied approval of this application by a vote of 1-4 (Katz, Moore, Hutchinson and Naugle). On April 17, 2001, the City Commission approved a motion to reconsider by a vote of 4-1 (Naugle), and scheduled this item for consideration for May 15, 2001 by a vote of 5-0. On May 15, 2001, this item was deferred to June 5, 2001 by a vote of 5-0; and on June 5, 2001, this item was deferred to June 19, 2001 by a vote of 5-0.

Applicant: Vicenzo Esposito and Christian D. Wissing
 Request: Approval of development of significant impact/IOA
 Location: La Rive Condominium - 715, 725 Bayshore Drive

Recommend: Introduce resolution.
Exhibit: Memo No. 01-923 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

**Agreement – International Swimming Hall of Fame (ISHOF) – Use of Parks
General Obligation Bond (GOB) Funds for the Creation of a Portable Museum**

(R-3)

A resolution authorizing the proper City officials to execute an agreement with ISHOF for use of allocated Parks GOB funds for the purpose of creating a portable museum for ISHOF.

Recommend: Introduce resolution.
Exhibit: Memo No. 01-549 from City Manager.

Vacate Utility Easement – Downtown Development Authority (DRC Case No. 6-M-01)

(R-4)

A resolution authorizing the vacation of a 40-foot utility easement as follows:

Applicant: Downtown Development Authority
 Request: Vacate 40-foot utility easement
 Location: 32 East Las Olas Boulevard

Recommend: Introduce resolution.
Exhibit: Memo No. 01-904 from City Manager.

RESOLUTIONS

**Lincoln Park One-Stop Shop Project – Reimbursement of Expenses
from Loan Proceeds - Sunshine State Governmental Financing Commission**

(R-5)

A resolution authorizing the reimbursement of Lincoln Park One-Stop Shop project expenditures from the proceeds of a pending loan in the approximate amount of \$4.35 million from the Sunshine State Governmental Financing Commission.

Recommend: Introduce resolution.

Exhibit: Memo No. 01-926 from City Manager.

**Appeal of Planning and Zoning Board Decision –
Development of Significant Impact for Sidewalk Café -
Ed Toomey and John Amodeo (PZ Case No. 133-R-99)**

(R-6)

At the December 15, 1999 Planning and Zoning Board meeting, the following application failed by a vote of 0-8. On June 5, 2001, the City Commission scheduled by a vote of 5-0 to hold a public hearing for June 19, 2001.

Applicant:	Ed Toomey and John Amodeo
Request:	Development of Significant Impact for Sidewalk Café
Location:	219 South Atlantic Boulevard

Recommend: Introduce resolution.

Exhibit: Memo No. 01-903 from City Manager; and
Memo No. 01-743 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.
